

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ST. THOMAS GROUP, INC., and VITALY
EKWEN,

Plaintiffs,

vs.

SCOTT LANE, KEVIN MULCAHY, PATRICK
BENSON, STEVE ANDERSON, JEAN
STOTHERT, Mayor; MICHAEL CHAMPION,
TYLER DEWAELE, JAY KIRWAN, Captain;
CITY OF OMAHA, COUNTY OF
DOUGLAS, TYLER HIIPAKKA, JARED R.
DEAN, OMAHA POLICE DEPARTMENT,
and BELLEVUE POLICE DEPARTMENT,

Defendants.

8:24CV331

SHOW CAUSE ORDER

Plaintiffs must serve the complaint within 90 days of filing the lawsuit. [Fed. R. Civ. Proc. 4\(m\)](#). The complaint was filed August 25, 2024. [Filing No. 1](#). Plaintiffs have not filed a return of service indicating service on Defendants Patrick Benson or Jared R. Dean. Neither Benson nor Dean has voluntarily appeared, filed an answer to the complaint, or joined in the pending motions to dismiss.¹ On November 25, 2024, Plaintiffs filed a motion for default judgment against several defendants, including Benson and Dean, but did not submit supporting evidence indicating service on Benson or Dean (or any other defendant). [Filing No. 36](#). The Court denied Plaintiffs' motion. [Filing No. 39](#).

¹ See [Filing No. 23](#) (motion to dismiss by Bellevue Police Department and Captain Jay Kirwan); [Filing No. 29](#) (motion to dismiss by County of Douglas, Nebraska); [Filing No. 32](#) (motion to dismiss by the City of Omaha, Scott Lane, Steve Anderson, Kevin Mulcahy, Tyler Dewaele, Michael Champion, Mayor Jean Stothert, Tyler Hiipakka, and the Omaha Police Department).

Accordingly,

IT IS ORDERED that Plaintiffs shall have until January 30, 2025 to show cause why the claims against Benson and/or Dean should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution. The failure to timely comply with this order may result in dismissal of the claims against Benson and/or Dean without further notice.

Dated this 2nd day of January, 2025.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge